

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

RITA A. CANN,

Plaintiff,

Vs.

No. 08-4018-SAC

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

MEMORANDUM AND ORDER

The court referred this administrative appeal to the United States Magistrate Judge for report and recommendation. The Magistrate Judge filed a report and recommendation on February 13, 2009, clearly stating the parties' right to file written objections to the recommendation within ten days. Ten days have passed and no written objections have been filed in accordance with 28 U.S.C. § 636(b)(1).

The court has reviewed the report and recommendation, as well as the relevant pleadings in this case. Based upon this review and the absence of any filed objections, the court accepts the report and recommendation and adopts it as the ruling of this court, reversing and remanding this case pursuant to the fourth

sentence of 42 U.S.C. § 405(g) for further proceedings.

IT IS SO ORDERED.

Dated this 3rd day of March, 2009, Topeka, Kansas.

s/ Sam A. Crow

Sam A. Crow, U.S. District Senior Judge